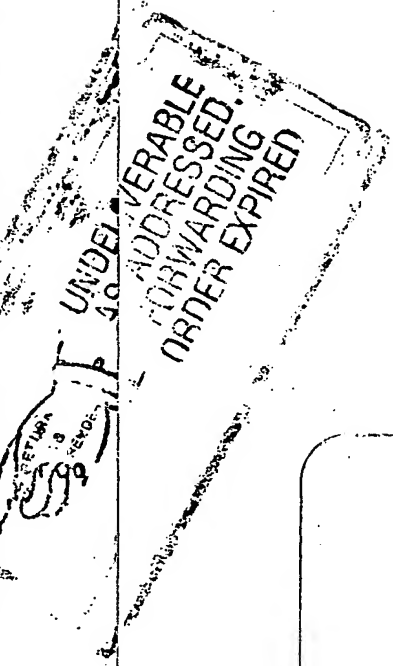


Organization TC22000 Bldg/Room Jeff
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
If Undeliverable Return in Ten Days

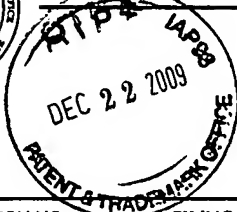
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER





UNITED STATES PATENT AND TRADEMARK OFFICE



1FW
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,725	12/11/2003	Chulho Kim	POU920030208US1	8581

7590
Philmore H. Colburn II
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002

12/16/2009

EXAMINER

ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
----------	--------------

2443

MAIL DATE	DELIVERY MODE
-----------	---------------

12/16/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary (For use in the First Action Interview Pilot Program)	Application No.	Applicant(s)	
	10/733,725	KIM ET AL.	
	Examiner	Art Unit	Page 1 of 3
	DAVID E. ENGLAND	2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH. This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

☐ Applicant's request to not have a first-action interview is acknowledged.

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2009 and interview conducted on 10 March 2009.
 2) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 3) ☒ Claim(s) 1-20 is/are pending in the application.
 3a) Of the above claim(s) _____ is/are withdrawn from consideration.
 4) ☐ Claim(s) _____ is/are allowed.
 5) ☒ Claim(s) 1-20 is/are rejected.
 6) ☐ Claim(s) _____ is/are objected to.
 7) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☐ The specification is objected to by the Examiner.
 9) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: (571)272-3912
 Examiner's Typical Work Schedule: Mon-Thur, 7:30-5:30
 Supervisor's Name: Tonia Dollinger
 Supervisor's Telephone Number: 571-272-4170

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>03/10/2009</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

Office Action Summary	Application No. 10733725		Applicant(s) KIM ET AL.	
	Examiner DAVID E.. ENGLAND		Art Unit 2443	Page 2 of 3

Notification of Rejection(s) and/or Objection(s)				
#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	3		112, 2nd	Claim 3 recites the limitation of "selected interval is about 100 milliseconds". This limitation is indefinite since there is no real limit, range or definite number, i.e.,...
2	18		112, 2nd	Claim 18 recites the limitation of "wherein said parameters". There is insufficient antecedent basis for this limitation in the claim. (cont')
3	1,6,8,9,15,17,18	A	102(a)	Claim 1 (col. 4, line 29-44); Claims 6 & 15 (col. 4, lines 17-65); Claims 8 & 17 (col. 4, lines 17-65); Claims 9 & 18 (col. 4, lines 17-65).
4	2,4,5,10,11,13,14,19,20	A,B	103(a)	2 (col. 1, line 39-col. 2, line 27 & col. 9, line 11-65 & col. 5, lines 1-43), 'A' doesn't teaches specific multi packet. 'B' discloses this, (col. 9, lines 54 et seq.). It would be obvious to only use a counter with...
5	3,12	A,B	103(a)	'A' teaches Claims 3 and 12 (col. 1, lines 52-67, timer is set so therefore it is up to the user to set the time to whatever they seem fit, i.e., 100 ms.).

Expanded Discussion/Commentary		
1		... the term "about" make the claim indefinite.
2		It would appear that the Applicant wishes for claim 18 to depended from claim 17, not 10.
4		.. multiple packets because doing such would cut down on interrupt times since packets are processed in groups not individually. Claims 10,11,19 and 20 are rejected in the same light as claims 1 and 2. Claims 4,5,13,14 are similar in nature just stated differently. Both of which 'B' teaches, i.e., it will not process unless a couple of packes are counted for.
DATE: 3/10/2009		/David E. England/ Primary Examiner, Art Unit 2443

Office Action Summary			Application No. 10/733,725		Applicant(s) KIM ET AL.	
			Examiner DAVID E. ENGLAND		Art Unit 2443	
Page 3 of 3						
Notification of Rejection(s) and/or Objection(s)						
#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection		
6	7,16	A,B,C	103(a)	'A' and 'B' do not teach a namespace based on a selected sender. 'C' does (col. 5, line 14- col. 6, line 10). It would have been obvious to use namespaces since each packet network has a namespace...		

Expanded Discussion/Commentary		
6		, a set of addresses that is recognizes as sources for or destinations for packets. If a packet network receives a packet whose source or destination address is not part of the namespace of the network, the message is not forwarded. Therefore adding a level of security and blocking unrecognized nodes and/or users.
DATE: 3/10/2009		/David E. England/ Primary Examiner, Art Unit 2443

Notice of References Cited	Application/Control No. 10/733,725	Applicant(s)/Patent Under Reexamination KIM ET AL.	
	Examiner DAVID E. ENGLAND	Art Unit 2443	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,868,466 B2	03-2005	Connor, Patrick L.	710/260
*	B	US-6,993,613 B2	01-2006	Connor et al.	710/260
*	C	US-6,473,426 B1	10-2002	Killian, Thomas Joseph	370/393
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Interview Summary	Application No.		Applicant(s)	
	10/733,725		KIM ET AL.	
	Examiner		Art Unit	
	DAVID E. ENGLAND		2443	

All participants (applicant, applicant's representative, PTO personnel):

(1) DAVID E. ENGLAND. (3) _____

(2) M. Brad Lawrence Reg. No. 47210. (4) _____

Date of Interview: 10 March 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 1 and 2.

Identification of prior art discussed: Connor 6868466 and Connor 6993613.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/David E. England/ Examiner, Art Unit 2443	
---	--

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative contacted the Examiner to discuss the claims and proposed claim amendments, i.e., claim 2 into claim 1. The Attorney of record stated that Connor 6993613 did not teach all three criteria that is needed for the interrupt to exit, more specifically the time interval. Examiner stated that this was stated in the proposed amendment nor in claim 2. What is stated is at least two criteria needs to happen in order to exit the interrupt. Connor 6993613 teaches everything but the time, which is what is stated in claim 2. Connor 6868466 teaches the time interval in multiple areas as stated in claim 2 but was not specifically relied upon. Examiner stated that if the Applicant wishes to submit an official amendment that they should make sure that all three criteria are stated to be met, if that is what they desire. The Examiner also stated that the Applicant must look at the other prior art to make sure that the amendment is not taught by the other prior art..